

# EXHIBIT C

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF DELAWARE

\* \* \*

WAYNE VAN SCOY, :  
Plaintiff and :  
Counterclaim :  
Defendant :  
 :  
vs :  
 :  
VAN SCOY DIAMOND MINE :  
OF DELAWARE, INC., KURT :  
VAN SCOY and DONNA :  
VAN SCOY, :  
Defendants and :  
Counterclaim :  
Defendants : NO. 05-108

\* \* \*

Oral deposition of JACQUELINE SAVOCA, taken at  
the law offices of Burke & Burke, 1460 Wyoming  
Avenue, Forty Fort, Pennsylvania 18704, on Friday,  
September 30, 2005, beginning at 2:00 p.m. before  
Pamela Pratt, Court Reporter and Notary Public in  
and for the Commonwealth of Pennsylvania.

\* \* \*

ACCUSCRIPT, INC.  
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JACQUELINE SAVOCA

1 A. No. That was years ago.

2 Q. By "years ago," are we taking about the  
3 '80s, or some other time frame?

4 A. Possibly, yeah.

5 Q. Okay. Do you consider Van Scoy Diamond  
6 Mine to be a famous mark?

7 A. Yes.

8 Q. Why?

9 A. Because it's well-known through  
10 advertising and Mr. Van Scoy being in business for  
11 65 years.

12 Q. Where do you consider it to be  
13 well-known?

14 A. Up and down the East Coast.

15 Q. Do you have an opinion as to whether  
16 Donna Van Scoy should have been named in this  
17 action?

18 MR. PETOCK: Objection.

19 BY MS. MORGAN:

20 Q. You can answer it.

21 A. I don't have an opinion.

22 MS. MORGAN: I have nothing further. I  
23 don't know if Mr. Petock does.

24 \* \* \*

25 EXAMINATION

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JACQUELINE SAVOCA

1 \* \* \*

2 BY MR. PETOCK:

3 Q. You testified that there were three  
4 NASCAR and one Indy 500 race under the name Van  
5 Scoy Diamond Mine 500 a number of years ago?

6 A. Yes.

7 Q. Did there come a time in June of this  
8 year when you say saw something related to those  
9 races?

10 MS. MORGAN: Objection. Leading  
11 question.

12 BY MS. MORGAN:

13 Q. Can you tell us whether you ever saw  
14 anything in connection with those races recently?

15           A.           Yes. The day of Mr. Van Scoy's  
16   viewing, his grandson had gone to the race and  
17   there was a banner hanging that he took a picture  
18   of and brought it back to the funeral home. And it  
19   was the day of the NASCAR race up in the Poconos  
20   and the banner said, God bless Tommy Van Scoy and  
21   Van Scoy Diamond Mine 500. I saw the picture that  
22   he took.

23 Q. Do you know whether the Scranton store  
24 is licensed by Wayne Van Scoy?

25           A.       No, I don't.

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